

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

v.

JUAN HERRERA-SANTOS,  
Defendant.

No. CR 07-0764 SI

[PROPOSED] STIPULATED ORDER  
CONTINUING STATUS  
APPEARANCE

**Current Hearing Date:** Friday, January  
25, 2008 at 11:00 am

**Proposed Hearing Date:** Friday,  
February 1, 2008 at 11:00 am

The defendant Juan Herrera-Santos is currently scheduled to appear before this Court on Friday, January 25, 2008 for motion and trial setting. In this stipulated order, counsel for Mr. Herrera-Santos represents that he will be unavailable on that date because of a conflicting work obligation that arose late last week. In addition, the parties represent that the government will shortly be providing AFD Kalar with a copy of the deportation hearing recording, and that defense counsel will need some time to review this new evidence before setting dates.

Therefore, Mr. Kalar has asked that the hearing date now scheduled for January 25, 2008 be continued to February 1, 2008. AUSA Helou has no objection to this request.

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1 In light of defense counsel's unavailability, and his need to review additional discovery, the  
2 status appearance now scheduled for January 25, 2008 is vacated. The matter shall be added to the  
3 Court's calendar for Friday, February 1, 2008 at 11:00 a.m. for motion and trial setting. Time shall be  
4 excluded from the Speedy Trial Act calculations in light of the unavailability of defense counsel, and  
5 to permit for the effective preparation of defense counsel.

6  
7 IT IS SO ORDERED.

8  
9 DATED \_\_\_\_\_ SUSAN ILLSTON  
10 United States District Court Judge

11  
12 IT IS SO STIPULATED.

13 January 22, 2008 \_\_\_\_\_/s\_\_\_\_\_  
14 DATED JOSEPH P. RUSSONIELLO  
15 United States Attorney  
16 Northern District of California  
17 TAREK J. HELOU  
18 Assistant United States Attorney

19 January 22, 2008 \_\_\_\_\_/s\_\_\_\_\_  
20 DATED BARRY J. PORTMAN  
21 Federal Public Defender  
22 Northern District of California  
23 STEVEN G. KALAR  
24 Assistant Federal Public Defender  
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